

KENTUCKY REAL ESTATE APPRAISERS BOARD

TYPE OF MEETING

Regular Meeting

DATE AND LOCATION

December 19, 2008 – Board Office

PRESIDING OFFICER

Dorsey Hall, Chair

ROLL CALL

Present:

Dorsey Hall, Chair
Paul Moore, Vice Chair
Loren Huff, Board Member
Sam E. Blackburn, Board Member
G. Herbert Pritchett, Board Member

Present Also:

Larry Disney, Executive Director
Angie Thomas, Staff Assistant
James Grawe, Board Counsel
Dennis Badger, Investigator
Tom Veit, Investigator

Executive Director, Larry Disney opened the meeting by welcoming the entire guest.

NEW BOARD MEMBER OATH OF OFFICE

Angie Thomas, Notary Public performed the Oath of Office for new Board Members Sam E. Blackburn, Midway, KY and G. Herbert Pritchett, Madisonville, KY prior to a Board hearing.

ELECTION OF OFFICERS

Per KRS 324A.025 an election of officers will be held after appointment of new members. Nomination by Loren Huff to elect Dorsey Hall as Chair and Paul Moore as Vice Chair, a motion was made by Herbert Pritchett, second by Sam Blackburn and the vote was unanimous.

Motion by Paul Moore, second by Loren Huff and the Board unanimously approved the November 20, 2008 minutes.

EDUCATION

Motion by Sam Blackburn, second by Paul Moore and the Board unanimously agreed to approve the following education courses for fiscal year 2008-09:

- (1) Dennis Badger & Associates – Two continuing education courses:
 - (a) FHA Today – 7 hours
 - (b) Report Writing Essentials – 7 hours
- (2) Wilson Education Group – One continuing education course:
 - (a) WEG 2009 – Appraisal Practice 2009 – 7 hours
- (3) Appraisal Institute – Two continuing education courses:
 - (a) Using Spreadsheet Programs in Real Estate Appraisals the Basics – 7 hours
 - (b) Litigation Skills for the Appraisers: An Overview – 7 hours
- (4) National Association of Independent Fee Appraisers – Four continuing education courses:
 - (a) 5.0A 2008 National USPAP Update – 7 hours
 - (b) FHA Current Appraisal Requirements – 7 hours
 - (c) Appraising in the Foreclosure Market – 7 hours
 - (d) Residential Report Writing – 7 hours

EXPERIENCE

Motion by Sam Blackburn, second by Loren Huff and the Board unanimously agreed to accept the following:

- (1) David Alfred – Approve experience for Certified General
- (2) Karen Bushart – Approve experience for Certified Residential
- (3) John E. Cloern – Approve experience for Certified General
- (4) Ryan Cloern – Approve experience for Certified General
- (5) Benjamin Godbey – Approve experience for Certified General
- (6) Paul Houle – Approve experience for Certified Residential
- (7) Chris Richardson – Approve experience for Certified Residential
- (8) Christie A. Spann – Approve experience for Certified Residential

Motion by Paul Moore, second by Loren Huff and the Board unanimously agreed to reject the following:

- (1) J. Craig Dowell – Reject experience for Certified General – Must submit two additional residential appraisal reports.
- (2) Scott D. Kelley – Reject experience for Certified General – Must submit two additional non-residential appraisal reports.
- (3) Kelly L. McCoy – Reject experience for Certified Residential – Must submit two additional residential appraisal reports.

CERTIFICATION/LICENSURE

Motion by Sam Blackburn, second by Paul Moore and the Board voted to approve a total of ten(10) individuals for certification/licensure.

- (1) David Alfred – Certified General
- (2) James R. Bradley – Certified General – Reciprocal with Tennessee
- (3) Karen Bushart – Certified Residential
- (4) John E. Cloern – Certified General
- (5) Ryan Cloern – Certified General
- (6) Benjamin Godbey – Certified General
- (7) Paul Houle – Certified Residential
- (8) Bruce E. Nell – Certified General – Reciprocal with Ohio
- (9) Chris Richardson – Certified Residential
- (10) Christie A. Spann – Certified Residential

COMPLAINT

A. Dennis Badger – Report on the contractor activities

B. The Board was advised there have been a total of 89 cases filed for 2008.

C. Agreed Orders:

- (1) Case No. 07-75 – Grievant: KREAB

Respondent: Darrell Muncy

Motion by Paul Moore, second by Sam Blackburn and the Board voted unanimously to accept the agreed order, whereby the respondent:

- (a) **Muncy** will voluntarily agree to not appraise any condominium unit, co-op, or PUD until he has successfully completed a 7 hour course that includes instruction and advice on appraising these types of properties. Further, **Muncy** will agree to complete this course before July 1, 2009.
- (b) **Muncy** shall complete a 7 hour Kentucky Real Estate Appraisers Board Supervisor/Trainee course that will be offered in 2009. Said 7 hours of education shall be in addition to the regular continuing education requirement of 201 KAR 30:050 Section 7. The course work required herein shall be completed by July 1, 2009.
- (c) **Muncy** shall be fined the sum of \$100.00 with total amount due with the signed agreed order.

- (2) Case No. 07-43 – Grievant: Richard Pearson

Respondent: Stephen Friderich

Motion by Herbert Pritchett, second by Loren Huff and the Board voted unanimously to accept the agreed order, whereby the respondent:

- (a) **Friderich** shall complete a 7 hour continuing education course in HUD-FHA Residential Appraising. Said 7 hours of education shall be in addition to the regular continuing education requirement of 201 KAR 30:050 Section 7. The course work required herein shall be completed by July 1, 2009.

- (b) **Friderich** shall complete a Kentucky Real Estate Appraisers Board 7-hour Supervisor/Trainee course. Said 7 hours of education shall be credited toward the regular continuing education requirement of 201 KAR 30:050 Section 7. The course work required herein shall be completed by the renewal date of June 30, 2009.
 - (c) **Friderich** shall be fined the sum of \$200.00 with total amount due with the signed agreed order.
- (3) Case No. 08-47 – Grievant: Mark Liley, Flagstar Bank
Respondent: Mark Gilliam
Motion by Sam Blackburn, second by Paul Moore and the Board unanimously dismissed the case with an agreement to take a 7 hour CE class on Manufactured Housing by June 30, 2009.
- (4) Case No. 07-04 – Grievant: KREAB
Respondent: William P. Sanderfer, Jr.
Motion by Paul Moore, second by Loren Huff and the Board unanimously agreed to accept the agreed order, whereby the respondent:
- A. **Sanderfer** certification shall be suspended for 365 days, effective upon the entry of this Order by the Board from practicing any real property appraiser service in Kentucky. Said suspension is probated with successful completion of the terms of the agreed order.
 - (1) **Sanderfer** shall complete a **15** hour National USPAP, including successful completion of the final examination, a **15** Residential Report Writing course, including successful completion of the final examination, a **7** hour on-line Valuation of Detrimental Conditions in Real Estate. Said **37** hours of education shall be in addition to the regular continuing education requirement of 201 KAR 30:050 Section 7. The course work required here in shall be completed by June 30, 2009. Coursework cannot be taken from Dennis Badger & Associates to complete this agreed order requirement.
 - (2) **Sanderfer** shall have no Associate appraisers for a period of three (3) years from the date of the agreed order.
 - (3) **Sanderfer** shall maintain a log and submit said log to the Board every 6 months for a period of two years from the date of the agreed order. Said log shall be provided to the Board upon request within 48-hour notice and the Board staff or designee will select at random assignments from that log for evaluation for two years.
 - (4) **Sanderfer** agrees that the Board shall have the right to review files for a period of two years from the date of the agreed order.
- (5) Case No. 08-86 – Grievant: Samantha Nelson
Respondent: David S. Noel
Motion by Paul Moore, second by Sam Blackburn and the Board unanimously agreed to file a formal complaint and set for a hearing
- (6) Case No. 08-15 – Grievant: Jemille Robinson
Respondent: Thomas G. Mudd
Motion by Herbert Pritchett, second by Loren Huff and the Board unanimously agreed to file a formal complaint and set for a hearing

- (7) Case No. 08-28 – Grievant: KREAB
Respondent: Brian Dobson
Motion by Paul Moore, second by Herbert Pritchett and the Board unanimously agreed to dismiss the case with a letter of caution.
- (8) Case No. 08-48 – Grievant: KREAB
Respondent: Jason Ferris
Motion by Herbert Pritchett, second by Loren Huff and the Board unanimously agreed to dismiss the case with a letter of caution.
- (9) Jim Grawe stated that he will be preparing hearings for Stan Chase, Marshall Flynn, Matt Miniard and Joe Weddington.

MISCELLANEOUS

- A. Letter to John J. Weikel, - A Pass Weikel – Motion by Sam Blackburn, second by Paul Moore and the Board agreed to take A Pass Weikel off the approved list and add to the Board website the reason A Pass Weikel is no longer an approved provider.
- B. Letter to Tom Allen – Instructor – A Pass Weikel
- C. ASC Announces the Promotion of Denise Graves to Deputy Executive Director
- D. Letter concerning the reorganization of the Office of the Attorney General –
A motion was made by Sam Blackburn, second by Herbert Pritchett for the Board to explore the possibility of hiring a hearing officer. The Staff will begin the process and report to the Board at the January Board meeting.
- E. Discussion on Budget 2008-09
- F. Discussion on National USPAP course and National USPAP Update course being completed online.- The Board agreed to look in changing regulation to accept the course online.
- G. Letter from Dann Cann
- H. A discussion was made concerning Certified General appraisers only performing commercial and not residential. The Board will look into this further for more clarification.
- I. A discussion was made on redacting names from the case files.
1. Jim Grawe advised the Board of the explicating the names of appraisers outside of the meeting.
 2. Herbert Pritchett further stated the Board sets as a professional Board and should be and act as impartial and professional.
 3. Motion by Sam Blackburn, second by Paul Moore and the Board unanimously agreed to the following:
 - 1) Continuing receiving investigation reports
 - 2) Investigator will give summary of information while redacting names.
 - 3) Larry will consult with Jim Grawe on the case
 - 4) Investigation report will be presented to the Board with recommendation
- J. The Board was advised the HUD will no longer recognize the Licensed Real Property level
- K. AARO Spring conference will be April 3-6, 2009 at New Orleans, LA

NEW BUSINESS

- A. January Board Meeting – January 23, 2009 – 9:00 a.m.
- B. Hearing – Joe Weddington – Friday, January 8, 2009 at 9:00 a.m.
- C. Appraisal Subcommittee Review – March 25, 26, & 27, 2009
- D. Erlanger Seminar – January 9, 2009

The next Board meeting is scheduled for Friday, January 23, 2009, immediately following a hearing at the Board office.

Prior to the meeting a luncheon was held for Janie Gross who is retiring December 31, 2008.

Motion by Herbert Pritchett, second by Paul Moore and the Board voted unanimously to adjourn the meeting.



Chair



Staff Assistant